

**REMARKS**

Claims 1, 2 and 5-20 are all the claims pending in the application.

**January 14, 2008 Interview with Examiner**

Applicant thanks the Examiner for the personal interview conducted on January 14, 2008 with Applicant's representative. Applicant believes that the interview was helpful in advancing the prosecution of this application. A Statement of Substance of Interview is being submitted herewith.

**Information Disclosure Statement**

Applicant notes that an Information Disclosure Statement is being submitted herewith to disclose JP-A-2002-268217 (a document cited in an Office Action issued in JPA No. 2003-44090, a Japanese patent application corresponding to co-pending U.S. Application No. 10/782,852) and JP-A-9-134011 (a document cited in an Office Action issued in JPA No. 2003-44093, a Japanese patent application corresponding to co-pending U.S. Application No. 10/781,645). The Examiner is respectfully requested to consider the disclosed information and return an initialed copy of the PTO/SB/08 form with the next communication from the PTO.

**Obviousness Rejection**

On page 2 of the Office Action, in paragraph 3, claims 1, 2, and 5-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oshima et al (EP 1176467) in view of Tutt et al (5,985,526), Gilman et al (4,153,799) and Muller et al (EP 129343).

Applicant respectfully submits that the present claims are not obvious over the cited art combination, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

**1. Gilman et al. (USP No. 4,153,799)**

The Examiner alleges that Gilman et al. teaches a benzophenone compound which appears to fall within the scope of newly amended claim 1. However, **Gilman et al. does not teach, suggest, or otherwise render obvious the specific compounds represented by formulae [1-a] to [1-d] in claim 1 of the present application.** In this regard, Applicant submits that no one can conceive of the specific compounds represented by formulae [1-a] to [1-d] from the mere disclosure of the word "benzophenone." As discussed at the interview, and as set forth in the Interview Summary, the formulas of instant claim 1 differ from the compounds of Gilman. Thus, if the Examiner wishes to maintain the position that Gilman et al. teaches a benzophenone compound which appears to fall within the scope of claim 1, she is requested to identify by column and line number the disclosure upon which she relies.

**2. Claim 20**

While claim 20 is listed among the rejected claims on the Office Action Summary, it is not included among the claims rejected in paragraph 3 on page 2 of the Office Action, and no reasoning is given in the detailed action to support a rejection of this claim. Applicant wishes to emphasize that as discussed during the interview, claim 20 is not taught, suggested, or otherwise rendered obvious by the cited art combination, and thus if the Examiner wishes to reject this claim, she is requested to provide detailed reasoning in support of her position, including an identification by column and line number of the disclosure upon which she relies.

### **3. Combination of References**

Applicant submits that the present invention is also patentably distinct from the combination of references including Tutt et al. (USP No. 5,985,526) and Oshima et al. (EP 1176467) as follows.

In both the present invention and Oshima et al., there is a protective layer on a negative photosensitive layer comprising a polymerization initiator and a polymerizable compound. The purpose of including a UV agent in the protective layer of the present application is to improve "safelight properties" (see page 5, lines 1 to 3; the result on page 101 in Table 1 of the Examples compared to the Comparative Examples; and the description of the result on pages 101 and 102 of the present specification). "Safelight properties" means a handling ability under white light. The conventional planographic printing plate precursor comprising a UV curing photosensitive layer undergoes undesired polymerization reaction in a non-image region initiated by the decomposition of an initiator with UV rays emitted from a fluorescent lamp, etc., during storage, which results in causing a problem of staining in a non-image region. "Safelight properties" means to diminish the above problem (see the second paragraph on page 3 to the second paragraph on page 4 in the present specification).

In contrast, in Tutt et al. (USP No. 5,985,526), it is described that an overcoat layer may be present on the layer including colorant particles, and the overcoat layer may contain a UV absorbing agent in order to suppress decomposition of the colorant. However, there is no description at all regarding a polymerizable negative photosensitive layer in Tutt et al.

In the present application, the suppression of decomposition is of the initiator for polymerization and not of the colorant (infrared ray absorbing agent).

In addition, Tutt et al. does not specifically show a usage for a printing press, nor a description regarding a polymerizable negative photosensitive layer.

Therefore, Applicant submits that there is no motivation to combine Tutt et al. and Oshima et al. Further, even if a combination of Tutt et al. and Oshima et al. were possible, a person with ordinary skill in the art would not be able to think of improving "safelight properties" of a planographic printing plate precursor comprising a polymerizable negative photosensitive layer by adding a UV absorbing agent in a protective layer.

Thus, Applicant submits that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

### Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 24, 2008

Respectfully submitted,



Bruce E. Kramer  
Registration No. 33,725